

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TEXAS
WACO DIVISION**

PALTALK HOLDINGS, INC.,

Plaintiff

vs.

**WEBEX COMMUNICATIONS, INC.;
CISCO WEBEX LLC; CISCO SYSTEMS,
INC.,**

Defendants.

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NO. 6:21-cv-00757

**JOINT STIPULATION OF DISMISSAL WITH PREJUDICE OF DEFENDANTS
WEBEX COMMUNICATIONS, INC. AND CISCO WEBEX LLC**

Pursuant to Federal Rule of Civil Procedure 41(a)(1)(A)(ii), Plaintiff Paltalk Holdings Inc. (“Paltalk”), Defendant Cisco Systems, Inc. (“Cisco”), and Defendants WebEx Communications, Inc. (“WebEx Comms”), and Cisco WebEx LLC (“Cisco WebEx”) (collectively, “WebEx Defendants”), jointly stipulate as follows:

WHEREAS, Paltalk filed its Complaint for patent infringement against Cisco and the WebEx Defendants on July 23, 2021;

WHEREAS, Defendants filed an Unopposed Motion for Extension of Time to Respond to the Complaint on August 12, 2021 (ECF No. 15), followed by a Notice of Extension of Time to Respond to the Complaint on August 13, 2021 (ECF No. 16) in light of the Court’s Standing Order Regarding Joint or Unopposed Request to Change Dates. This extended the deadline to answer by 45-days until September 30, 2021;

WHEREAS, Cisco and the WebEx Defendants answered Paltalk’s Complaint on September 30, 2021;

WHEREAS, Cisco contends the WebEx Defendants are not necessary parties to this action;

WHEREAS, Cisco agrees that it will not take the position in this case that Paltalk must subpoena documents or people because they sit within a WebEx entity rather than Cisco;

WHEREAS, Cisco further agrees that it will not assert that liability is different or escaped or a judgment may be avoided because only Cisco is a defendant in this case, and not the WebEx entities; and

WHEREAS, in view of the foregoing, Paltalk agrees to dismiss the WebEx Defendants from this action with prejudice.

The parties therefore agree and stipulate that:

1. The parties jointly stipulate to dismiss with prejudice all of Paltalk's claims against WebEx Comms and Cisco WebEx.

2. The parties further stipulate and agree that each party shall bear and pay its own costs, expenses and attorney's fees incurred in connection with the dismissal of said claims.

DATED: October 14, 2021

Respectfully submitted,

By: /s/ Max L. Tribble, Jr.

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By: /s/ Sarah E. Piepmeier

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CERTIFICATE OF SERVICE

Pursuant to the Federal Rules of Civil Procedure and Local Rule CV-5, I hereby certify that, on October 14, 2021, all counsel of record who have appeared in this case are being served with a copy of the foregoing via the Court's CM/ECF system.

/s/ Max L. Tribble, Jr.

Max L. Tribble, Jr.